

**STATEMENT OF BASIS (AI No. 144893)**

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0121541 to discharge to waters of the State of Louisiana.

**THE APPLICANT IS:** Fam Marine Services, Inc.  
6601 Springer Street  
Houston, Texas 77087

**ISSUING OFFICE:** Louisiana Department of Environmental Quality (LDEQ)  
Office of Environmental Services  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

**PREPARED BY:** Yvonne Baker

**DATE PREPARED:** November 15, 2006

**1. PERMIT STATUS****A. Reason For Permit Action:**

First time issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

**B. NPDES permit - NA**

**C. LWDPDS permit - NA**

**D. Date Application Received:** September 21, 2006

**2. FACILITY INFORMATION****A. FACILITY TYPE/ACTIVITY – mobile barge and ship cleaning and repair service**

Fam Marine Services Inc. is a new facility which plans to clean and repair open top barges and ships containing edible products, grain, aggregate, meal products, SC iron, coal, coke, fertilizers, urea, potash, fly ash, pitcoke, limestone, and ammonium nitrate. Any residue from previous cargo is removed via sweeping, wiped with rags etc. to containers for proper disposal.

**B. FEE RATE**

1. Fee Rating Facility Type: minor
2. Complexity Type: II
3. Wastewater Type: II
4. SIC code: 3731 and 4491

**C. LOCATION –** At various locations on the Mississippi River between River Mile 1 and 245 AHP in Plaquemines, St. Bernard, Orleans, Jefferson, St. Charles, St. John the Baptist, St. James, Ascension, Iberville, East Baton Rouge and West Baton Rouge Parishes.

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### **3. OUTFALL INFORMATION**

#### Outfall 001

Discharge Type: dry commodity ship and barge washwater from open top ships and barges  
Treatment: none  
Location: at the point of discharge from the ship or barge being washed  
Flow: intermittent  
Discharge Route: to the Mississippi River

#### Outfall 002

Discharge Type: coal and coke ship and barge washwater from open top ships and barges  
Treatment: none  
Location: at the point of discharge from the ship or barge being washed  
Flow: intermittent  
Discharge Route: to the Mississippi River

### **4. RECEIVING WATERS**

STREAM - Mississippi River

BASIN AND SEGMENT - Mississippi River Basin, Segment 070301

DESIGNATED USES - a. primary contact recreation  
b. secondary contact recreation  
c. fish and wildlife propagation  
d. drinking water supply

### **5. PROPOSED EFFLUENT LIMITS**

BASIS - See Rationale on page 4.

### **6. COMPLIANCE HISTORY/COMMENTS**

#### A. Compliance History

1. WQMD: There are no open, appealed, or pending OEC enforcement actions as of November 15, 2006.
2. DMR Review: There are no DMR's for this facility, as this is the initial issuance of an LPDES permit.

### **7. 303(d) LISTED WATERBODIES**

The discharges from Fam Marine Services, Inc. are to the Mississippi River, Subsegment 070301 of the Mississippi River Basin. Subsegment 070301 is not listed on LDEQ's Final 2004 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

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## **8. ENDANGERED SPECIES**

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon and migratory waterfowl, which are listed as an endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated September 29, 2006 from Watson (FWS) to Brown (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon and migratory waterfowl. Effluent limitations are established in the permit to ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. The more stringent of technology and water quality based limits (as applicable) have been applied to ensure maximum protection of the receiving water.

## **9. HISTORIC SITES**

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

## **10. TENTATIVE DETERMINATION**

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

## **11. PUBLIC NOTICES**

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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### **Rationale for Fam Marine Services, Inc.**

1. **Outfall 001:** dry commodity barge and ship washwater from open top ships and barges

Based on BPJ and on permits for similar facilities, no effluent limitations are established for washwaters from barges previously containing dry commodities including: edible products, grain, aggregate, meal products, SC iron, fertilizers, urea, potash, fly ash, limestone and ammonium nitrate. Best Management Practices (BMPs) for barge operations are listed in Part II.

2. **Outfall 002:** coal and coke barge and ship washwater from open top ships and barges

<u>Pollutant</u>	<u>Limitation</u> Mthly Avg:Daily Max (mg/l)	<u>Reference</u>
Flow-MGD	Report:Report	LAC 33:IX.2701.1.1.b
COD	250:400	Similar Discharges; BPJ
TSS	Report:Report	Similar Discharges; BPJ
pH	6.0 - 9.0 s.u.	Similar Discharges; BPJ

BPJ Best Professional Judgment

**Treatment:** none

**Monitoring Frequency:** TSS shall be observed once per month and Flow, COD and pH shall be observed once per week at the point of discharge from the ship or barge being washed.

**Limits Justification:** Limits and Monitoring Frequency are based on current guidance for similar discharges from other facilities.

This facility is not subject to Effluent Limitations Guidelines for Transportation Equipment Cleaning, 40 CFR Part 442, because, in accordance with 40 CFR 442.1.a, "this part applies to discharges resulting from cleaning the interior of tanks used to transport chemical, petroleum or food grade cargos." This facility does not clean tanks. The facility cleans open top hopper barges and ships only.

#### Storm Water Pollution Prevention Plan (SWP3) Requirement

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1.b, stormwater discharges that are associated with industrial activity shall be monitored. In accordance with LAC 33:IX.2511.B.14, SIC codes 3731 and 4491 are considered to be associated with industrial activity. However, an SWP3 is not included in the permit because the facility is a water related operation only. Barge BMPs are comparable to the SWP3 requirements; therefore, the barge BMPs will be applied instead.